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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/976,054

10/15/2001

Nordine Cheikh

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3580

28381 7590 11/19/2008

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EXAMINER

ALLEN, MARIANNE P

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* NORDINE CHEIKH and JINGDONG LIU

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Application No. 09/976,054  
Technology Center: 1600

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Mailed: November 18, 2008

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Before Gloria Henderson, *Review Team Paralegal*  
Henderson, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 15, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Application No. 09/976,054

、 REPLY BRIEF NOTED

On September 3, 2008, applicants filed a timely Reply Brief. In accordance with the revision effective September 13, 2004, Title 37, Code of Federal Regulations, §41.43 states:

(a)(1)... the primary examiner must acknowledge receipt and entry of the reply brief. In addition, the primary examiner may withdraw the final rejection and reopen prosecution or may furnish a supplemental examiner's answer responding to any new issue raised in the reply brief.

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner for consideration and proper response to the Reply Brief filed September 3, 2008, and for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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